

The Marquis De Vaudreuil took the reins of the colony. Under his government, the British threatened often to invade Canada, but never realized their project. All the time of this Governor was occupied in giving orders for marching and counter-marching his troops, calling together and then disbanding the Provincial militia. His death took place on the 10th October, 1735. He was succeeded the next year by the Chevalier De Beauharnois a natural son of Louis the XIV, who was fortunate enough to keep the colony nineteen years in profound peace. It was under his administration that Fort Niagara was built. He also constructed another fort called Carillon on Lake Champlain.

In 1774, Mr. De La Jonquiere was named to replace Mr. De Beauharnois, but having been made a prisoner by the British while on his way to Canada, Mr. De La Galissoniere was named Governor *ad interim*. This latter gentleman returned to France, as soon as the Governor was released. Nothing remarkable occurred under the administration of Mr. De La Jonquiere, who died at Quebec on the 17th May 1792. Till the arrival of a new Governor, the administration of the colony devolved upon Charles Lemoine, Baron de Longueuil, who was Governor of Montreal.

(To be continued.)

## FOREIGN.

### LATE ENGLISH NEWS.

By the arrival of the packet ship *Shakepeare* at New York, Liverpool papers to April 26, and London to the 26th have been received.

Accounts from Manchester are gloomy. There are rumors of a change of Cabinet. Great anxiety prevails in Ministerial circles, an anxiety felt, it seems, as much by the Queen as by any one.

Queen Victoria held a levee on the 25th ult., at which were presented Mr. M. C. Paterson, of New York, and Mr. Carroll Macraivish, of Maryland, by Mr. Stevenson, American Minister.

FRANCE—The Ministerial question remains in the same undecided state as at the last advices.

By a still later arrival from France Parisian papers to the 2d May have been received. Up to the latest dates the King had not succeeded in forming a cabinet.

M. Gauthier, President of the Bank of France, was at the head of affairs.

M. Thiers is becoming very unpopular, from his opposition to both parties. He is accused of having betrayed his friends, and tampered with his enemies. The Marquis of Dalmatia, Soult's eldest son, defends his father's conduct in the House of Peers. The King, at best, is in a most unenviable situation, his friends are not strong enough to support him, and his enemies are factious. An attempt at revolt had been made at Paris, but was put down without much bloodshed.

Mr. John Van Buren was at Paris, and resided in the family of the American Minister. He is exciting quite an interest, and has become very popular.

Mr. Swartwout and W. M. Price are both at Paris, living in elegant style. It is not true that Mr. Price had lost large sums by gaming.

### 12 DAYS LATER FROM ENGLAND.

The Packet Ship *Orpheus*, Capt. Bailey, arrived at New York on the 51st ultimo, bringing London papers to the 7th and Liverpool to the 8th of May, inclusive.

House of Commons, May 1.—Id. Brougham presented petitions from Jamaica against the bill for suspending the constitution of that island—declaring that he should support the petitions when the bill came before the house. Lord Normanby thought he should be able to change his lordship's views on the subject.

House of Commons, May, 3.—In the House of Lords a message from the Queen was brought up by Lord Melbourne, and read by the Lord Chancellor, as follows:

Her Majesty thinks proper to acquaint the House of Lords, that it appears to Her Majesty that the future welfare of her subjects in Lower Canada will be promoted by an union of the said provinces into one province, for the purposes of legislation, from and after a period to be fixed by Parliament; and Her Majesty therefore recommends the House of Lords to consider such measures as may be submitted to them for this purpose, Her Majesty being persuaded that the House of Lords will combine a due regard for peace and security in those provinces, with such provisions as shall be conducive to the permanent freedom and prosperity of her North American possessions.

Lord Melbourne, in answer to a question from the Duke of Wellington, stated the course he intended to pursue in relation to this message—which will be seen further on.

In the House of Commons the same message was received and read, and ordered to be taken into consideration on Monday.

Lord John Russell then moved that the house go into committee on the Jamaica government bill. Sir Robert Peel then rose and made a speech of five and a half columns (in the Times) against the bill—not opposing it directly, but urging its importance—its momentous consequences—and the necessity of being very sure that measures less sweeping and arbitrary might not accomplish the object.

Mr. Labouchere replied at great length, giving a history of the proceedings in Jamaica, which had rendered the measure necessary, and contending that no milder or less thorough expedient could prove adequate to the exigencies of the case. Mr. Godson, Mr. Charles Buller, Mr. Hume and Sir Charles Grey subsequently took part in the debate, which was not concluded when the house adjourned.

May 4.—Being Saturday, neither house was in session.

House of Lords, May 6.—Viscount Melbourne rose and said:—My Lords, notwithstanding the very great and paramount importance of the subject which has been brought under your lordships' consideration by her Majesty's gracious message—notwithstanding its great magnitude and importance—and notwithstanding the convictions which I apprehend we all feel of the necessity of prompt and decided legislation on the subject, yet, my lords, I do not think it necessary, or consider myself called upon, to detain your lordships by any lengthened observations, or take up your lordships' time for any long period on the present occasion. It has appeared, unquestionably, that all the circumstances of the subject to which I have adverted, have impressed upon her Majesty's servants the necessity of bringing it under your lordships' consideration in the most solemn and formal manner, by a message from the throne. During the last session of Parliament, when the measures which we were about to introduce were confessedly not permanent, but of a transient, temporary, and occasional nature, and such as were necessary to meet the peculiar circumstances of the case, the noble duke opposite, I remember, thought we were subject to censure, that we were guilty of an omission of our duty, in not bringing down a message on that occasion, and under those circumstances.

Whether that was so or not, whether the noble duke was right or not in that censure, it is not necessary for me now to inquire; but I think your lordship will necessarily feel that now, when it is our intention to propose measures with the object, and I trust, with effect of settling the affairs of Canada on a permanent, durable and stable foundation—there can be no doubt that it is our duty to introduce those measures to the consideration of Parliament with all the solemnity which it is possible for us to give to them. My lords, the message from the throne only submits the subject to your lordships' consideration. It points out to your lordships the principle of the measure intended to be submitted to Parliament—namely, the principle of a union, for the purpose of legislation, of those two provinces in that part of her Majesty's dominions which were divided by the act of 1791. But, although it points out to your lordships that such is the principle of the intended measure, yet, neither upon that principle of a union nor upon any other part of the question, is it my intention to call from your lordships, at the present moment, either a decided opinion or any thing in the slightest degree resembling a pledge, I will leave that to future discussion and future consideration, and simply content myself on the present occasion with moving an address to her Majesty, to thank her Majesty for the gracious message from the throne, and to declare your lordships' readiness to take into consideration those measures which shall be submitted to you.

As it is not my intention to enter into the details of these measures on the present occasion, or to enter into a consideration of any of the various documents which have been submitted to you, I trust your lordships will think that I best discharge my duty in not entering further into the discussion of the general question, or of any part of it, on the present occasion. I shall, therefore, content myself with moving that an humble address be presented, to return her Majesty's gracious message relative to the provinces of Upper and Lower Canada, and to assure her Majesty that we will not fail to take into our most serious consideration the subject recommended to our attention by her Majesty, and that we shall be desirous of concurring in all such measures as may best tend to promote the salutary object which her Majesty has in view.

The address, which was couched in the same terms with which the noble viscount concluded, was then read by the Lord Chancellor.

The Duke of Wellington said that it did not appear to him to be necessary that he should enter into any discussion upon what passed on a former occasion, when this subject was under discussion, in the course of the last session of Parliament. Upon the address just read, and upon the proposition made to their lordships by the noble viscount, that they should agree to the dress in answer to her Majesty's most gracious message sent to that house on its last day of meeting, he (the Duke of Wellington) thought that no proposition could be more reasonable than that made to their lordships by the noble viscount. The

noble viscount had refrained, both in his speech and in the working of his speech and in the working of his motion, from pledging their lordship to any specific plan on this important subject.

The noble viscount had most judiciously avoided reference to other matters connected with this subject, with the various documents which they had before them. With their lordships' permission, he (the Duke of Wellington) would follow the noble viscount's example, and refrain from advertent to the subject, on the topics connected with it, on the present occasion, being desirous that their lordships should carry to the foot of the throne unanimously, the assurances contained in this address, of their willingness to take the subject into consideration, and of their wish that they might be enabled to approve of the measures to be submitted to them.

The Earl of Wicklow was anxious to take this opportunity of advertent to a point on which he had touched when this subject was under their lordships' consideration before. He thought it of peculiar importance, now that some intimation had been given of the intention of government with regard to Canada. He had asked, on a former occasion, whether the noble viscount meant to furnish the house with any suggestions or information the government might have received on this subject from either governors of the province. He (the Earl of Wicklow) had since had reason to believe that there was some information or suggestion coming from Lord Aylmer. He also wished to know whether the noble viscount would furnish any information that might have been received from Gosford or Sir John Colborne. If there had been any such information its production was the more desirable, since the appearance of a publication by a talented individual, Sir Francis Head, who evidently differed in toto in his suggestions from the noble Earl, the late Governor General of Canada. Sir Francis Head had this advantage, that he was Governor of one province for considerably more than two years; whereas the noble Earl, whose suggestions were now attended to by the government, only passed a few months in the country. With these conflicting opinions if there were any further information, it was desirable that it should be furnished to the house.

Viscount Melbourne said that if there were any such information as that alluded to by the noble Earl, it should be furnished.

Lord Brougham said that he entirely agreed with the noble duke, that the course taken by the noble viscount, in proposing such an address to the Crown, had been most judicious. It not only rendered no discussion necessary on this occasion, but it precluded discussion altogether. They were pledged to nothing by agreeing to a mere act of courtesy on the part of the House, in return for an act of condescension & courtesy on the part of the Crown. Whether it was necessary to bring down a message before proposing a plan for the government of Canada, was beside the present question. It was thought expedient, but it could not be said to be necessary. He (Lord Brougham) made no objection to the course proposed, farther than saying that he must protest on behalf of both houses of Parliament, against the understanding that a message from the Crown was ever necessary on any subject, to enable Parliament to exercise its wisdom on that subject. It was found expedient to adopt this course now, because it had been adopted in 1791.

But the course adopted in 1791 had not turned out very successfully, and perhaps that might furnish a reason for not caring whether forerunners and accompaniments of that course were adhered to as precedents. In offering no objection to the address, he (Lord Brougham) did not consider that he, in the least degree, committed himself to the general adoption of the principle laid down. He considered himself just as much entitled to object to it on a future occasion, as if the address had not been agreed to. His noble friend opposite (Earl of Wicklow) was mistaken in supposing that the plan propounded in the report of his noble friend was announced in the message. The plan of uniting the two provinces was as old as the hills. The merit of his noble friend (the Earl of Durham) was of a different nature, for he entered into details, and proposed a great variety of measures, for carrying his views into successful effect. But the House was not committed in any way whatever to any of his plans by the adoption of the present address. The address was then agreed to.

The House then adjourned at half past six.

In the House of Commons,

Lord John Russell gave notice that on Friday the 10th he should move for leave to bring in a bill for uniting the provinces of Upper and Lower Canada.

The debate on the Jamaica government bill was then resumed, and concluded. The vote on taking the question, was for the bill 294—against it 289—a majority so small as to ensure the defeat of the bill in the House of Lords, if the Tories think proper to oppose it there.

### The Canadian Prisoners.

Exchequer Court.—May 6.—The judgment of the Court in the above case was delivered this morning by the Lord Chief Baron. After recapitulating the substance of the return made by Mr. Bachelor, the

gaoler of Liverpool, he said it had been urged most ingeniously at the Bar, that the Legislature of Upper Canada had no right to pass an Act giving the Lieutenant Governor power to grant conditional pardon—that if it had, it was of no force or effect out of the Province, and therefore no one was bound by it out of the Province, nor could any one act upon it legally—that the pardon being conditional, it was not competent to the prisoner to accept it, or if so that he could recede his assent. The Court were of opinion that it was not necessary for them to decide the first points in that case. If the condition was void so also must be the pardon. If the condition was lawful and the prisoner had not assented to it, then he could not have the pardon, but having assented to the condition, he could not revoke it without also revoking the pardon. The situation of the prisoner appeared to be, that he had been indicted for high treason, of which he had confessed his guilt. He was liable to be tried for the treason, and he could not plead the pardon; he was in such a situation that any of Her Majesty's subjects would be aiding and abetting treason if they allowed him to go at large. The Court were therefore of opinion that the prisoners ought to be remanded. If they had not or could not be lawfully transported, of which the Executive Government would no doubt be advised, it would be their duty to take measures to have the prisoners tried in England for the treason. The prisoners were then removed.

### The Chartists.

The proceedings of the Chartists have gone to such a length as to call forth a Royal Proclamation.

The Rev. Joseph Raynor Stevens, is still agitating, to good purpose it is hoped. He delivered a speech at the Crown and Anchor tavern, in London, on the night of the 4th, to an assemblage of more than 2000. [An extract from which may be looked for in the next North American.]

At Manchester eight Chartists have been arrested, while in the act of drilling, and warrants were issued for the arrest of others.

At Llanidloes, in Wales, two men who had been arrested were rescued by a mob, whose violence was so great that troops had been ordered to the spot; and it was affirmed and believed that the rioters felt themselves strong enough to fight the soldiers, and would do it. Two regiments had been brought over in haste from Ireland; and the papers say that in England the people are arming to an extent that is quite fearful.

In reference to the Chartist disturbances, the Monmouth Observer states that 200 gentlemen of that town and its neighborhood have formed themselves into an association for mutual protection, and have offered their services to the government, which has accepted them, and agreed to furnish the association with arms.

The Queen held a court, May 4, for the reception of the Crown Prince of Russia and Prince Wm. Henry of Holland, who had audience of her Majesty, and afterward dined at the royal table.

### ONE DAY LATER.

#### Resignation of Ministers.

In the House of Lords on the 7th of May, Lord Melbourne announced the resignation of all the ministers, and its acceptance by the Queen—in consequence of the vote on the Jamaica government bill.

NINE DAYS LATER STILL.

The Great Western has arrived bringing English papers to the 17th.

Peel formed a new Ministry, which lasted a few days only. Peel and Wellington required of the Queen to dismiss her female ministry, which she peremptorily refused. "She was going to be ruled by a faction." So the new Ministry resigned, and Melbourne took office again. Lord John Russell, Palmerston and Spring Rice going to the Lords, as Peers; Lord Durham takes the Foreign Department; Buller something, and Poulett Thompson, the Exchequer. This is the new Melbourne Ministry. Parliament is adjourned to the 27th.

On the 12th a partial revolution commenced in Paris, which was put down,—a few lives lost,—eight Regiments sent from the capital to the provinces, the Government having found out that they were to join the people, &c.

## NORTH AMERICAN:

SWANTON, JUNE 5, 1839.

### REVIEW OF DURHAM'S REPORT.

No. IV.

"The course of justice (says Lord Durham,) is obstructed, from a national hatred; a just decision in any political case is not to be relied on; and the mode of challenging allows of such an exclusion of the hostile party, that the French offender may make sure of, and the English hope for a favorable jury, and a consequent acquittal."

The above is another instance of Lord Durham's "personal experience" and impartial report. "The French criminal is sure of impunity, while the Anglo-Saxon pet may only hope for it. To prove this his Lordship has been at some pains to find out two cases! two solitary cases, which look something like the picture he has drawn, and which he holds up to the view of his mistress, the Queen, as a very hideous one indeed; but at the same time

he carefully hides the other side of it, well knowing the monstrous crimes to be seen thereon. The first of these two cases is that of Chartrand, who his Lordship says was lately murdered, and his murderers acquitted by a Canadian jury. Oh, yes! murder, foul murder, when a tory is killed; but when any of the French race—men, women, or children are slaughtered—some burned in their houses, others driven into the forest and there perish from starvation, why, in this his Lordship sees no crime! because these atrocities have been committed by the privileged "Anglo-Saxons," and have been made legal, after their occurrence, by authority of an Ordinance, speedily enacted and passed, in the reign of our Sovereign Lady Queen Victoria, by the Grace of God, Defendress of the Faith, (the Christian faith—"do as you would be done by.") Which Ordinance, or Bill of indemnity, (impunity!) was enacted by Our trusty and well beloved cousin, Our Lord High Commissioner, and his special Council, in order to legalize said slaughter and devastation on the ground that these horrors were perpetrated in support of our "Crown and Dignity!" "Wherefore, it shall hereafter be deemed (says the Ordinance,) a high misdemeanour for any person to upbraid, censure, sue or prosecute, or in any way whatever to molest "any of our faithful and loyal subjects for "anything that may have been done in "the service of Our Lady the Queen."—Never was a Monarch more appropriately styled *Defender of the Faith*, than is the Monarch of Great Britain; for Lord Durham's faith in the Queen, her authority and laws make him discover no crime in Royal and Loyal murder and conflagration; but makes him feel that to kill a tory in self-defence, is an atrocious murder.

However much we may lament the occurrence, we shall not disguise the facts of the case of Chartrand, which Lord Durham has cited, but which, at the same time he has wilfully distorted. This man was sent by the Tories into the Camp at St. Charles, pretending to be a Patriot; he remained there until he ascertained the force of the place, and with the aid of an associate he spiked the cannon, after doing this he returned and reported his discovery and his doings. He was next sent to watch the movements of the people of L'Acadie, and was there recognized as the treacherous villain and spy of St. Charles; finding himself discovered he set out on his return to his employers at St. Johns, but had not proceeded far before he was overtaken by four men, who, incensed at his base conduct, pursued and shot him publicly. In the course of the winter, these men were apprehended and lodged in the Montreal jail, and were tried by a select jury, which Lord Durham forgot to mention, was packed by the Sheriff, under the persuasion that they would not dare scrutinize the respective merits of the Government that prosecuted and the Patriots that defended the case; upon a full hearing of the facts, and being struck with the barefaced partiality of the Bench, and the persecution of the Crown which brought only one side of the question to prosecution, they acquitted the accused of murder, but would willingly have brought in a verdict for manslaughter, but this the Government did not want.

Lord Durham cited this case as a proof that the Canadian is sure of an acquittal at the hands of a jury of his countrymen; and to strengthen his proof he has sent the "Notes of the Chief Justice," who presided at the trial, to the Home Government. But we much fear that another and an important part of this affair he has not deemed expedient to report,—namely, that the jury was packed, and exclusively composed of French Canadians, but as was thought, of timid men, and persons selected from such parts of the country as could be easily intimidated, so that a verdict from such a jury could not be suspected of tory influence at a distance; while a verdict from an "Anglo-Saxon" jury would carry on the face of it the stamp of judicial murder. Nor did his Lordship say that the Grand Jury which found the bills of indictment was composed half of Anglo-Saxons, and half of those few renegade Canadians who are at all times the ready tools of any bad government.

The second case is almost too contemptible for us to notice; but since so great a character as a Lord High Commissioner has not thought it so, and that this case with the preceding one is all that his Lord-